

200A.10 Examinations.

1. The department shall maintain a laboratory with the equipment and employees necessary to conduct examinations of bulk dry animal nutrient products and to effectively administer and enforce this chapter.

2. The department, or a person authorized as an agent by the department, shall examine bulk products distributed in this state. An examination may include taking samples, conducting inspections and tests, and analyzing the bulk product.

3. The department shall conduct the examinations to the extent that the department determines necessary in order to conclude whether a bulk product is in compliance with the provisions of this chapter.

a. The department may enter upon any public or private premises during regular business hours in a manner consistent with the laws of this state and the United States, including Article I, section 8, of the Constitution of the State of Iowa, and the fourth amendment to the Constitution of the United States, for purposes of carrying out an examination.

b. The methods for examination shall be the official methods of the association of official agricultural chemists in all cases where methods have been adopted by the association.

c. A sworn statement by the state chemist or the state chemist's deputy stating the results of an analysis of an official sample from a lot of a bulk dry animal nutrient product shall constitute prima facie evidence of the correctness of the analysis of that lot in courts of this state.

d. The department, in determining for administrative purposes whether a bulk product is deficient in guaranteed active ingredients, shall rely upon the official sample obtained and analyzed by the state chemist or the state chemist's deputy.

e. The results of an official analysis of a bulk product which has been found to be in violation of any provision of this chapter shall be forwarded by the department to the registrant. Upon request, the department shall furnish the registrant a portion of any official sample.

98 Acts, ch 1145, §10